



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8619

UNITED STATES OF AMERICA,

Plaintiff,

v.

Raquel HERNANDEZ De Avila,

Defendant.

} Magistrate Case No.:

} COMPLAINT FOR VIOLATION OF

} 21 U.S.C. § 952 and 960  
Importation of a Controlled Substance  
(Felony)

The undersigned complainant being duly sworn states:

On July 8, 2008, within the Southern District of California, defendant Raquel HERNANDEZ De Avila did knowingly and intentionally import approximately 48.26 kilograms (106.17 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
Cole Dotson, Special Agent  
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 9th,  
DAY OF JULY 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA  
2  
3

v.

4 Raquel HERNANDEZ De Avila  
5  
6

#### STATEMENT OF FACTS

7 This statement of facts is based on personal observation, investigation, and  
8 information provided to US Immigration and Customs Enforcement Special Agent Cole  
9 Dotson.

10 On July 8, 2008, at approximately 1845 hours, Raquel HERNANDEZ De Avila  
11 entered the United States at the Calexico, California, East Port of Entry. HERNANDEZ  
12 was the driver and the registered owner of a 1995 Honda Accord, bearing Baja Mexico  
13 license plate BER7354.

14 The primary inspector, Customs and Border Protection Officer (CBPO)  
15 Arredondo referred the vehicle to the secondary lot for closer examination.

16 In the vehicle secondary lot, CBPO Barroso, utilizing a canine, conducted an  
17 inspection of the vehicle. The canine responded to the rear, quarter panels of the  
18 vehicle.

19 A subsequent inspection of the vehicle by CBPO Cuellar revealed 34 packages  
20 concealed within the both doors and the rear quarter panels. CBPO Cuellar probed one  
21 of the packages and a sample of a green leafy substance was obtained. The sample  
22 field-tested positive for marijuana. The 34 packages had a combined net weight of  
23 approximately 48.26 kilograms (106.17 pounds).

24 HERNANDEZ was placed under arrest and was advised her Rights, per Miranda.  
25 HERNANDEZ acknowledged, waived her rights, and agreed to answer questions.  
26 HERNANDEZ stated she knew the vehicle contained drugs, but not the type or quantity.  
27  
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29